

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0066
(916) 319-2066
FAX (916) 319-2166

DISTRICT OFFICE
41391 KALMIA STREET, SUITE 220
MURRIETA, CA 92562
(951) 894-1232
FAX (951) 894-5053

Assembly California Legislature



KEVIN JEFFRIES
ASSEMBLYMEMBER, SIXTY-SIXTH DISTRICT

COMMITTEES
VICE CHAIR, TRANSPORTATION
BUDGET
GOVERNMENTAL ORGANIZATION
HOUSING AND COMMUNITY
DEVELOPMENT
SUBCOMMITTEES
BUDGET SUBCOMMITTEE NO. 1 ON
HEALTH AND HUMAN SERVICES
SELECT COMMITTEES
CHAIR, RURAL FIRE PROTECTION
WORKING GROUP
HIGH SPEED RAIL FOR CALIFORNIA
INLAND EMPIRE CAUCUS
INLAND EMPIRE TRANSPORTATION
ISSUES
RURAL CAUCUS

August 16, 2011

George Gentry, Executive Officer
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Dear Mr. Gentry:

I would like to offer my public comments on the matter of the State Responsibility Area Fire Protection Fee (SRA).

First, I would like to personally apologize for the majority of the Legislature and the Governor for having sent to you this ill-conceived, hastily written and most certainly unconstitutional piece of legislation Assembly Bill 29 of the First Extraordinary Session (ABX1 29). As you well know CAL-FIRE has been subjected to difficult budget reductions, and ABX1 29 is mistakenly viewed by some as a vehicle to restore some of the lost revenues.

As a State Legislator, former Riverside County LAFCO Commissioner and as someone who worked alongside CAL-FIRE for 29 years in the Riverside County Fire Service, I strongly object to moving a crucial California Public Safety Agency (CAL-FIRE) towards a special tax/fee-based department. Public safety services are the first and foremost responsibility of government and our existing revenues should and must be utilized to meet these basic service obligations.

Unfortunately, you and the Board have little choice but to act on this misguided legislation. I can only hope that you can minimize the collateral damage this legislation and its tax is going to have across the state on both taxpayers and local fire agencies.

I would of course suggest that you NOT implement this tax in any form or manner, however I will offer the following until the tax is rescinded by legislative, voter or judicial action:

1. Any county which contracts with CAL-FIRE for full fire protection services should be exempted from the tax. As an example, Riverside County (and its cities) contract with the state (CAL-FIRE) for over \$200 million in professional fire protection services (plus a \$20 million+ Admin-Fee). For the state to now levy a homeowner (or future parcel?) tax in addition to the contract costs would seem to imply that the state has been providing the counties with an inadequate level of fire prevention/protection services while under contract.

Either these large service contracts are adequate to serve and protect the public or they are not. If a \$200 million contract does provide adequate services – why has the state failed to disclose this to the governing boards and residents? If such contracts are adequate – how then does the Board justify an additional layer of taxation for a service.

Mr. George Gentry
August 16, 2011
Page Two

2. In some contract counties (such as Riverside), previous statistical information indicated that upwards of 85% of SRA fires had been initial-attacked and extinguished by local government funded resources before a CAL-FIRE fire engine arrived. What justification should be given to taxpayers to have the state levy a tax and yet have the local government resources shoulder the initial-attack costs of SRA fires?
3. For decades CAL-FIRE has been contracting with local governments to build "regional" and "cooperative" fire protection services – whereby all the parties share in assisting each other under fair and reciprocal terms. CAL-FIRE's existing partnership in future efforts could easily be compromised by the levy of this misguided tax on a targeted group of citizens who are represented by one of the participating local agencies.
4. For residents residing within the boundaries of local fire protection districts who pay increased property taxes for enhanced fire protection services these districts could easily be subjected to voter revolt or rejection if the state overlays a special tax. Such a tax could easily cause local voters to reject continued local funding – thereby having the adverse impact of actually reducing existing local fire protection levels and shifting more responsibilities onto the state.
5. The implementation of a fee (tax) for service within SRA boundaries will immediately result in political and public pressure to examine, dispute and ultimately shrink SRA boundaries in many counties across our state.
6. With the state budget still on uncertain grounds with regards to projected and actual revenues, the Board and CAL-FIRE has absolutely no constitutional guarantee that the Legislature will not again shift-away (cut) the CAL-FIRE budget once you impose this tax and collect the new revenues.

If you can do so I would encourage the Board to reject the implementation of this tax, otherwise please be mindful of the unintended consequences of this poorly crafted piece of legislation and do your best to limit the implementation and impact of this tax.

Should you have any questions or if I can be of any service, please feel free to contact me at (916) 319-2066.

Sincerely,



KEVIN D. JEFFRIES
Assemblyman, 66th District

cc: Board Members, State Forestry and Fire Protection

George Gentry, Executive Officer
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Stan L. Dixon, Chair
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Mark Andre, Board Member
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Pam Giacomini, Board Member
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Gary Nakamura, Board Member
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

James Ostrowski, Board Member
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Bruce Saito, Board Member
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460